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5 Attorneys for Plaintiff and Class Members

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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN**
DIVISION

10 WARREN SUMNER, individually, and
11 on behalf of other members of the
12 general public similarly situated,

13 Plaintiff,

14 vs.

16 TOYS R US, INC., a Delaware
corporation, and DOES 1 through 10,
17 inclusive,

18 Defendants.

Case Number: SACV089-25 DOC (ANx)
[Assigned to the Hon. Judge David O.
Carter]

NOTICE OF UNAVAILABILITY

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1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT the law firm of Kawahito & Shrager LLP,
3 which is acting as counsel of record in the above-captioned matter, hereby files this
4 Notice of Unavailability stating that the following members of the firm will be
5 unavailable as follows:

6 David Shrager will be unavailable from February 10 through February 15, and
7 February 25 through March 1, 2010.

8 James Kawahito will be unavailable from February 24 through March 1,
9 2010.

10 Shawn Westrick will be unavailable from February 25 through March 1,
11 2010.

12 Noelle Shanahan Cutts will be unavailable from February 24 through March
13 1, 2010.

14 Kawahito & Shrager LLP requests that no hearings, depositions, mediations,
15 and other proceedings requiring counsel's attendance, be scheduled during that time
16 period.

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18 Dated: February 4, 2010

Respectfully Submitted,

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20 By: _____
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22 David R. Shrager
23 KAWAHITO & SHRAGER LLP
24 Attorneys for Plaintiff/Class Members
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